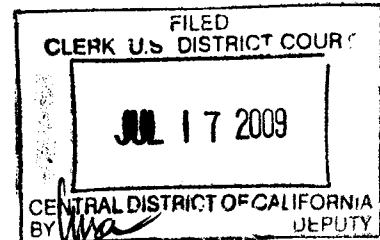


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Office of the Clerk
700 STEWART ST. LOBBY LEVEL
SEATTLE, WA 98101
(206) 370-8400

July 10, 2009

SACR08-00223-AG



Clerk, US District Court
411 West Fourth Street, Room 1053
Santa Ana, CA 92701-4516

Re: **JAGMOHAN DHILLON**
Your Case No: **SACR08-223**
Our Case No: **MJ09-336**

Dear Clerk:

Pursuant to the order transferring the above captioned case to your court per RULE 5(c)(3)(D) , dated July 10, 2009 , please download the documents maintained electronically by the District Court through PACER for the Western District of Washington at <https://ecf.wawd.uscourts.gov/>.

Please acknowledge receipt on the enclosed copy of this letter and return it in the provided business reply envelope.

Sincerely,

BRUCE RIFKIN, District Court Executive

A handwritten signature in cursive script that reads "Judith A. Thomas".

Judith A. Thomas,
Deputy Clerk

CLOSED

**U.S. District Court
United States District Court for the Western District of Washington (Seattle)
CRIMINAL DOCKET FOR CASE #: 2:09-mj-00336-MAT-1**

Case title: USA v. Dhillon

Date Filed: 07/06/2009

Other court case number: CR08-223-AG Central District of California

Date Terminated: 07/10/2009

Assigned to: Hon. Mary Alice Theiler

Defendant (1)

Jagmohan Dhillon

TERMINATED: 07/10/2009

represented by **Jay Warren Stansell**
FEDERAL PUBLIC DEFENDER'S OFFICE
(SEA)
1601 5TH AVE
STE 700 WESTLAKE CENTER OFFICE
TOWER
SEATTLE , WA 98101
206-553-1100
Fax: FAX 553-0120
Email: jay_stansell@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or Community
Defender Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

21:846=CD.F Conspiracy to Possess with Intent
to Distribute Ecstasy and Methamphetamine

Disposition

Plaintiff

USA

represented by **Karyn S Johnson**
US ATTORNEY'S OFFICE (SEA)

700 STEWART ST
 STE 5220
 SEATTLE , WA 98101-1271
 206-553-7970
 Email: Karyn.S.Johnson@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/03/2009		Arrest of Jagmohan Dhillon on 7/3/2009. (HAZ) (Entered: 07/06/2009)
07/06/2009	<u>1</u>	CHARGING DOCUMENT RECEIVED FROM OTHER COURT as to Jagmohan Dhillon (Attachments: # <u>1</u> warrant)(HAZ) (Entered: 07/06/2009)
07/06/2009	3	ORDER APPOINTING FEDERAL PUBLIC DEFENDER appointing Jay Warren Stansell for Jagmohan Dhillon. On the basis of the defendant's sworn financial statement, the court finds that he/she is financially unable to retain counsel. It is hereby ORDERED that the Federal Public Defender for the Western District of Washington be and hereby is appointed to represent the defendant pursuant to Title 18 United States Code 3006A. Signed by Hon. Mary Alice Theiler. (No.pdf image attached) (HAZ) (Entered: 07/06/2009)
07/06/2009	<u>4</u>	MOTION for Detention by USA as to Jagmohan Dhillon (HAZ) (Entered: 07/06/2009)
07/06/2009	5	Minute Entry for proceedings held before Hon. Mary Alice Theiler- CRD: HAZ; AUSA: K JOHNSON; Def Cnsl: J STANSELL; PTS: S JOHNSON; Time of Hearing: 2:30 PM; Courtroom: 12B; Interpreter: Santosh Wahi; Language: Punjabi; INITIAL APPEARANCE IN RULE 5(c)(3) PROCEEDINGS as to Jagmohan Dhillon held on 7/6/2009. CT reviews financial affidavit and appoints counsel. Defendant advised of rights and charges pending in CD-CA. Govt moves for detention, hearing set. Defendant(s) remanded to custody. Rule 5 status and Detention Hearing set for 7/10/2009 at 01:30 PM before Hon. Mary Alice Theiler. (HAZ) (Entered: 07/06/2009)
07/07/2009	<u>6</u>	WAIVER of Rule 5(c)(3) Hearings by Jagmohan Dhillon (cc: USMO) (Stansell, Jay) (Entered: 07/07/2009)
07/10/2009	7	Minute Entry for proceedings held before Hon. Mary Alice Theiler- CRD: J Thomas; AUSA: Karyn Johnson; Def Cnsl: Jay Stansell; PTS: Sarah Johnson; Court Reporter: (digital recording); Time of Hearing: 1:30; Courtroom: 12B; Interpreter: Pran Wahi; Language: Punjabi; DETENTION HEARING as to Jagmohan Dhillon held on 7/10/2009. Defendant present in custody and advised of charges pending in California. Defendant has filed a Waiver of Identity Hearing. Court signs ORDER OF TRANSFER. Defense stipulates to detention. Defendant ORDERED detained pending further hearings in CA. Defendant remanded to custody to be returned to the charging district. (JT) (Entered: 07/10/2009)
07/10/2009	<u>8</u>	DETENTION ORDER PENDING FURTHER HEARINGS IN CHARGING DISTRICT as to Jagmohan Dhillon by Hon. Mary Alice Theiler. (cc: PTS, USMO) (JT) (Entered: 07/13/2009)
07/10/2009	<u>9</u>	ORDER OF TRANSFER to District of CENTRAL CALIFORNIA (SOUTHERN) as to Jagmohan Dhillon by Hon. Mary Alice Theiler. (cc: PTS, USMO) (JT) (Entered: 07/13/2009)
07/10/2009	<u>10</u>	Letter from WAWD Clerk's Office regarding paperwork documenting Rule 5 transfer back to Central California as to defendant Jagmohan Dhillon. (JT) (Entered: 07/13/2009)

Magistrate Judge Theiler

FILED
LODGED
ENTERED
RECEIVED

JUL 06 2009

AT SEATTLE
CLERK U.S. DISTRICT COURT
BY WESTERN DISTRICT OF WASHINGTON DEPUTY

09-MJ-00336-M

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE/TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAGMOHAN S. DHILLON,

Defendant.

NO. MJ09-336

MOTION FOR DETENTION
ORDER

The United States moves for pretrial detention of the Defendant, pursuant to
18 U.S.C. § 3142(e) and (f)

1. Eligibility of Case. This case is eligible for a detention order because this
case involves (check all that apply):

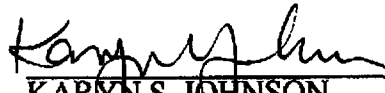
- ☐ Crime of violence (18 U.S.C. § 3156)
- ☐ Crime of Terrorism (18 U.S.C. § 2332b(g)(5)(B)) with a maximum sentence
of ten years or more
- ☐ Crime with a maximum sentence of life imprisonment or death
- ☒ Drug offense with a maximum sentence of ten years or more
- ☐ Felony offense and defendant has two prior convictions in the four
categories above, or two State convictions that would otherwise fall within
these four categories if federal jurisdiction had existed.
- ☐ Felony offense involving a minor victim other than a crime of violence

- 1 — Felony offense, other than a crime of violence, involving possession or use
2 of a firearm, destructive device (as those terms are defined in 18 U.S.C.
3 § 921), or any other dangerous weapon
- 4 — Felony offense other than a crime of violence that involves a failure to
5 register as a Sex Offender (18 U.S.C. § 2250)
- 6 X Serious risk the defendant will flee
- 7 — Serious risk of obstruction of justice, including intimidation of a
8 prospective witness or juror
- 9 2. Reason for Detention. The Court should detain defendant because there are
10 no conditions of release which will reasonably assure (check one or both):
- 11 X Defendant's appearance as required
- 12 — Safety of any other person and the community
- 13 3. Rebuttable Presumption. The United States will invoke the rebuttable
14 presumption against defendant under § 3142(e). The presumption applies because:
- 15 — Probable cause to believe defendant committed offense within five years of
16 release following conviction for a "qualifying offense" committed while on
17 pretrial release.
- 18 X Probable cause to believe defendant committed drug offense with a
19 maximum sentence of ten years or more
- 20 — Probable cause to believe defendant committed a violation of one of the
21 following offenses: 18 U.S.C. §§ 924(c), 956 (conspiracy to murder or
22 kidnap), 2332b (act of terrorism), 2332b(g)(5)(B) (crime of terrorism)
- 23 — Probable cause to believe defendant committed an offense involving a
24 victim under the age of 18 under 18 U.S.C. §§ 1591, 2241, 2242,
25 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1) through 2252(a)(3),
26 2252A(a)(1) through 2252A(a)(4), 2260, 2421, 2422, 2423 or 2425.
- 27 4. Time for Detention Hearing. The United States requests the Court conduct
28 the detention hearing:
- 29 At the initial appearance
- 30 X After continuance of 3 days (not more than 3)

1 5. Other matters.

2 DATED this 6th day of July, 2009.

3
4 Respectfully submitted,
5 JEFFREY C. SULLIVAN
6 United States Attorney

7 
8 KARYN S. JOHNSON
9 Assistant United States Attorney
10 WSBA #28857
11 United States Attorney's Office
12 700 Stewart Street, Suite 5220
13 Seattle, WA 98101-1271
14 Phone No.: (206) 553-2462
15 Fax No.: (206) 553-4440
16 Email: karyn.s.johnson@usdoj.gov

UNITED STATES DISTRICT COURT
for the WESTERN DISTRICT OF WASHINGTON
at Seattle

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JAGMOHAN DHILLON,
Defendant,

Case No. MJ09-336

WAIVER OF RULE 5(c)(3)(D) HEARING
and ORDER OF TRANSFER

WAIVER OF RULE 5(c)(3)(D) HEARING

I, JAGMOHAN DHILLON, have appeared before a United States Magistrate Judge in the Western District of Washington, who has advised me of the provisions of Rule 20 and of my right to a further hearing pursuant to Rule 5(c)(3)(D) of the Federal Rules of Criminal Procedure. I wish to waive my right to such further hearing, therefore:

- a) I acknowledge that I am the person named in an indictment, information, or warrant pending in the U. S. District Court for the CENTRAL District of CALIFORNIA;
- b) I waive my right to production of the warrant or of any other original papers relating to these charges or certified copies thereof;

- 1 c) If I am entitled to a preliminary examination, I elect to have it conducted in the
2 district where the prosecution is pending; and,
3 d) I consent to the issuance of an order directing me to appear and answer in said
4 district where the charges are pending.

5
6 DATED this 7th day of July, 2009.

7
8 
9 Defense Counsel

10
11 
12 Defendant

13 ORDER OF TRANSFER

14 Based upon the foregoing Waiver, it is hereby ORDERED that the further proceedings in
15 this case shall be conducted in the U. S. District Court for the CENTRAL District of
16 CALIFORNIA. The Clerk of this Court shall forthwith transmit to the Clerk in said
17 district the records of proceedings conducted in this district. Unless the defendant is released on
18 bond, the U. S. Marshal is directed to transport defendant as promptly as possible to that district.
19 If released on bond, the defendant is directed to appear in that district for further proceedings at
20 the time and place specified on the bond, or as otherwise directed by court order.

21
22 DATED this _____ day of _____, 20__.

23
24
25
26
27 _____
28 United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of filing to:

Karyn S. Johnson
Assistant United States Attorney
700 Stewart Street, Suite 5220
Seattle, WA 98101

s/ Charlotte Ponikvar
Assistant Paralegal
Federal Public Defender's Office
1601 Fifth Avenue, Suite 700
Seattle, WA 98101
Tel. (206) 553-1100
Fax (206) 553-0120
Charlotte_Ponikvar@fd.org

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. MJ 09-336
) CD/CA NO. 08-223
Plaintiff,)
)
v.)
) DETENTION ORDER
JAGMOHAN S. DHILLON,)
)
Defendant.)
)

Offense charged: Conspiracy to Distribute and Possess with Intent to Distribute Controlled
Substances

Date of Detention Hearing:

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
based upon the factual findings and statement of reasons for detention hereafter set forth, finds
that no condition or combination of conditions which defendant can meet will reasonably assure
the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is charged by Indictment in the Central District of California with a

01 drug offense with a maximum sentence of ten years or more. Therefore, there is a rebuttable
02 presumption under 18 U.S.C. § 3142(e) of risk of nonappearance and risk of danger.

03 (2) Defendant was born in India and is a citizen of Canada. Defendant was not
04 interviewed by Pretrial Services. There is some information available about his criminal history
05 but no additional information available regarding his personal history, residence, family ties, ties
06 to this District, his income, financial assets or liabilities, or physical/mental health or controlled
07 substance use, if any.

08 (3) Defendant has waived his right to an identity hearing and an order of transfer has
09 been signed. Defendant does not present information in opposition to detention at this time, but
10 will request a detention hearing after appointment of counsel and his first appearance in the
11 charging District.

12 (4) There does not appear to be any condition or combination of conditions that will
13 reasonably assure the defendant's appearance at future Court hearings while addressing the
14 danger to other persons or the community.

15 It is therefore ORDERED:

16 (1) Defendant shall be detained pending trial and committed to the custody of the
17 Attorney General for confinement in a correction facility separate, to the extent
18 practicable, from persons awaiting or serving sentences or being held in custody
19 pending appeal;

20 (2) Defendant shall be afforded reasonable opportunity for private consultation with
21 counsel;

22 (3) On order of a court of the United States or on request of an attorney for the

01 Government, the person in charge of the corrections facility in which defendant
02 is confined shall deliver the defendant to a United States Marshal for the purpose
03 of an appearance in connection with a court proceeding; and

04 (4) The clerk shall direct copies of this Order to counsel for the United States, to
05 counsel for the defendant, to the United States Marshal, and to the United States
06 Pretrial Services Officer.

07 DATED this 10th day of July, 2009.

08 
09 _____
10 Mary Alice Theiler
11 United States Magistrate Judge
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09-MJ-00336-ORD

FILED
LODGED
ENTERED
RECEIVED

JUL 10 2009

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

UNITED STATES DISTRICT COURT
for the WESTERN DISTRICT OF WASHINGTON
at Seattle

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JAGMOHAN DHILLON
Defendant,

Case No. MJ09-336

WAIVER OF RULE 5(c)(3)(D) HEARING
and ORDER OF TRANSFER

WAIVER OF RULE 5(c)(3)(D) HEARING

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2 district where the prosecution is pending; and,
3 d) I consent to the issuance of an order directing me to appear and answer in said
4 district where the charges are pending.

5
6 DATED this 7th day of July, 2009.

7
8 
9 Defense Counsel

10
11 
12 Defendant

13
14 ORDER OF TRANSFER

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16 this case shall be conducted in the U. S. District Court for the CENTRAL District of
17 CALIFORNIA. The Clerk of this Court shall forthwith transmit to the Clerk in said
18 district the records of proceedings conducted in this district. Unless the defendant is released on
19 bond, the U. S. Marshal is directed to transport defendant as promptly as possible to that district.
20 If released on bond, the defendant is directed to appear in that district for further proceedings at
21 the time and place specified on the bond, or as otherwise directed by court order.

22 DATED this 10 day of July, 2009

23
24
25 
26 United States Magistrate Judge
27
28

1
2
3
4 **CERTIFICATE OF SERVICE**

5
6 I hereby certify that on July 7, 2009, I electronically filed the foregoing with the
7 Clerk of the Court using the CM/ECF system which will send notification of filing to:
8

9 Karyn S. Johnson
10 Assistant United States Attorney
11 700 Stewart Street, Suite 5220
12 Seattle, WA 98101

13 s/ Charlotte Ponikvar
14 Assistant Paralegal
15 Federal Public Defender's Office
16 1601 Fifth Avenue, Suite 700
17 Seattle, WA 98101
18 Tel. (206) 553-1100
19 Fax (206) 553-0120
20 Charlotte_Ponikvar@fd.org
21
22
23
24
25
26

FEDERAL PUBLIC DEFENDER
1601 Fifth Ave., Suite 700
Seattle, Washington 98101
(206) 553-1100

